

Notice of Allowability

Application No.

09/502,233

Examiner

Adam L Basehoar

Applicant(s)

DIMARCO ET AL.

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief Filed 01/06/05.
2. ☒ The allowed claim(s) is/are 13-24.
3. ☒ The drawings filed on 02/11/00 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE AND EXAMINER'S AMENDMENT

1. This action is responsive to communications: The Appeal Brief filed 01/06/05.
2. The Rejection of claims 13-24 under 35 U.S.C. 103(a) as being unpatentable over DiMarco, Chrysanne; Hirst, Graeme; Wanner, Leo; and Wilkinson, John. "HealthDoc: Customizing patient information and health education by medical condition and personal characteristics."
Workshop on Artificial Intelligence in Patient Education, Glasgow, August 1995,
<http://www.cs.toronto.edu/compling/Publication> has been withdrawn as necessitated by the Appeal Brief.
3. The Specification has been amended by the examiner, which is discussed below in the Examiner's Amendment section.
4. Claims 13-24 are allowed as necessitated by the Appeal Brief and discussed below in the Reasons for Allowance section.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney John Orange on 03/16/05.

The Application has been amended as follows:

Replace the Abstract with the following:

A method and apparatus for generating customizable documents comprising a datafile including a data structure for defining relationships between elements of a document and variations thereof. A parser for reading the datafile and for creating instances of document-class data structures in accordance with general document class definitions. A user interface for inputting purpose parameters specifying a document variation and a selection engine for utilizing the current values of the purpose parameters for generating customized versions of the document.

Claim 13 (Currently Amended)

A computer implemented system for creating a customized document comprising a subset of a fixed set of information, said system comprising:

- a) a collection of elements representing said fixed set of information, said elements being arranged hierarchically in tiers arranged in a first tier type comprising a set of elements indicating components and a second tier type interleaved therewith comprising a set of elements indicative of variations of said components, such that each element of a lower tier is connected to at least one element of a higher tier, the elements of at least one of said tiers having a set of parameters associated therewith; and
- b) a selection engine to receive a set of parameters associated with an intended recipient of the customized document, said selection engine being operable upon elements of said tiers sequentially from the highest tier down to apply the received parameters and thereby select a subset of said elements to form the customized document.

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Claim 15 (Currently Amended)

A system method according to claim 14, wherein said selection engine selects one variation for each selected component, so that said parameters associated with said one selected variation are in accordance with said received parameters.

Claim 19 (Currently Amended)

A computer implemented method for creating a customized document comprising a subset of a fixed set of information, said method comprising the steps of:

- a) establishing a collection of elements representing said fixed set information;
- b) arranging said elements hierarchically in tiers arranged in a first tier type comprising a set of elements indicating components and a second tier type interleaved therewith, said second tier type comprising a set of elements indicative of variations of said components, such that each element of a lower tier is connected to at least one element of a higher tier;
- c) associating a set of parameters with the elements of at least one of said tiers;
- d) receiving a set of parameters associated with an intended recipient of the tailored document;
- e) operating upon elements of each tier sequentially from the highest tier down to apply the received parameters and thereby select a subset of said elements comprising the tailored document.

REASONS FOR ALLOWANCE

6. The following is an examiner's statement of reasons for allowance:

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Regarding independent claims 13 and 19, none of the references, either singularly or in combination, teach or suggest to a person of ordinary skill in the art at the time of the invention the features of, *element tiers being arranged hierarchically wherein a second tier type was interleaved with the first tier type and processing the tiers sequentially from the highest tier down*, in combination with the other presented claim limitations. The examiner notes that while creating customized documents based on a user profile that selects different variations of the document is not considered a novel feature (See Examiner Referenced Prior Art), but in light of the combination of the features of the system and method steps of the independent claims the limitations of claims 13 and 19 are considered novel, and unobvious to a person of ordinary skill in the art at the time the invention was made in view of the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Relevant Prior Art:

The Applicant cited reference, *C. DiMarco et al, "The automated generation of Web documents that are tailored to the individual reader," 03/1997, pp. 44-5*, appears to be the most relevant prior art of record describing a customized document generating system. The reference teaches what appears to be a more primitive and yet to be fully realized version of the Applicant's claimed invention. The prior art reference teaches customizing documents based on user parameters and storing textual variations of to be displayed based on those parameters. However the reference does not fully teach or

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suggest interleaving two distinct tier types as claimed in the independent claims, wherein the distinct tier types contain elements indicating components and elements indicating variations of said components. As claimed the tiered system is not equivalent to the *topic/sub-topic structure* explained on page 50 of the reference.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US-5,951,300	09-1999	Brown, Stephen
US-6,434,531	08-2002	Lancelot et al.
US-6,684,188	01-2004	Mitchell et al.
US-2004/0205656	10-2004	Reulein et al.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB



STEPHEN HONG
SUPERVISORY PATENT EXAMINER